

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application
BERNA, Philippe et al
Serial No. 08/321,589
Filed: Oct. 12, 1994
For: PROCESS FOR MAKING A
VERSATILE CLAMPING DEVICE
DESIGNED TO HOLD OBJECTS
WITHOUT DAMAGING THEM, SUCH
A DEVICE AND ITS USE

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SEP 05 1995

GROUP 3200

#24/dpm
9/19/95
Petition to
Withdraw
Final
Group Art Unit: 3206
Examiner: Tom Hughes

Molières-sur-Cèze, France
September 2, 1995

PETITION UNDER 37 CFR 1.181

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is to petition so that the finality of the last Official Action would be reconsidered and withdrawn.

Indeed the applicant has been surprised to read in the Advisory Action of 07/26/95 that in claim 12, "at least one movable arm" would be a new issue. This limitation had been introduced in claims 1 and 2 (in an amendment filed on June 12, 1995) before the last Official action and not treated as a new issue in said Action. That would mean that the examination of the 12 June 1995 amendment has been done incompletely and that therefore the 3 July 1995 action has been made final prematurely. In the original specification in English such a possibility is still considered p. 29, lines 18-19, what implies that such limitation is reasonable. And besides this possibility of having a fixed arm was even more widely envisaged in the French priority patent application No. 90/02916, p. 4, lines 1-2, as well p. 11, lines 25-27, and in the original PCT application PCT/FR91/00190, p. 11, lines 13-14, as well p. 28, lines 14-17 ("Dans toutes les variantes de l'assembleur qui ont été décrites jusqu'ici, il est évidemment toujours possible de remplacer un desdits bras mobiles (2) par un bras fixe", i.e. turned into English "In all the embodiments of the invention which have been described up to now, it is of course possible to replace one of said movable arms 2 by a fixed one").

Respectfully submitted

Philippe BERNA

Philippe Berna

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper has been
Patent and Trademark

Philippe Berna

Philippe BERNAL
Signature

09 / 04 / 1995
Date